

SECTION 16. HEIGHT MILITARY OVERLAY DISTRICT (MOD)

The only purpose and intent of this section is to promote cooperation between Cascade County, property owners, and Malmstrom Air Force Base in order to reduce potential conflicts and protect the current and future military missions and Missile Alert Facilities (MAFs) and Launch Facilities (LFs) of Malmstrom Air Force Base by restricting height of structures near these facilities as outlined in the Malmstrom Joint Land Use Study. Figures 4.1-2 Height Military Overlay District & 4.1-3 Proposed Height MODs are hereby incorporated into and made a part of these regulations.

16.1 MAFB RUNWAY AREA

The following height limits are based on the elevation of the helicopter runway at Malmstrom (3,526 ft.) which is based on the North American Vertical Datum of 1988 (NAVD 88).

MOD-A (Clear Zone Surface)

No structures greater than 50 feet in height.

MOD-B (Transitional Surface)

No structures greater than 50 feet in height.

MOD-C (Inner Horizontal Surface)

No structures greater than 150 feet in height.

MOD-D (Conical Surface)

No structures greater than 150 feet in height.

MOD-E (Approach/Departure Clearance Surface)

No structures greater than 50 feet in height.

MOD-F (Outer Horizontal Surface)

No structures greater than 500 feet in height.

Any proposed structures exceeding the above heights will require the approval of a variance by the Zoning Board of Adjustment. A copy of the application will be sent to Malmstrom for review and comments. Any comments or recommended mitigations will be forwarded to the Zoning Board of Adjustment to consider with their decision. If no comments are received within 15 working days, it will be determined Malmstrom's reviewing staff had no objections. A height variance may only be denied due to a concern expressed by the US Military that cannot be mitigated to the Military's satisfaction.

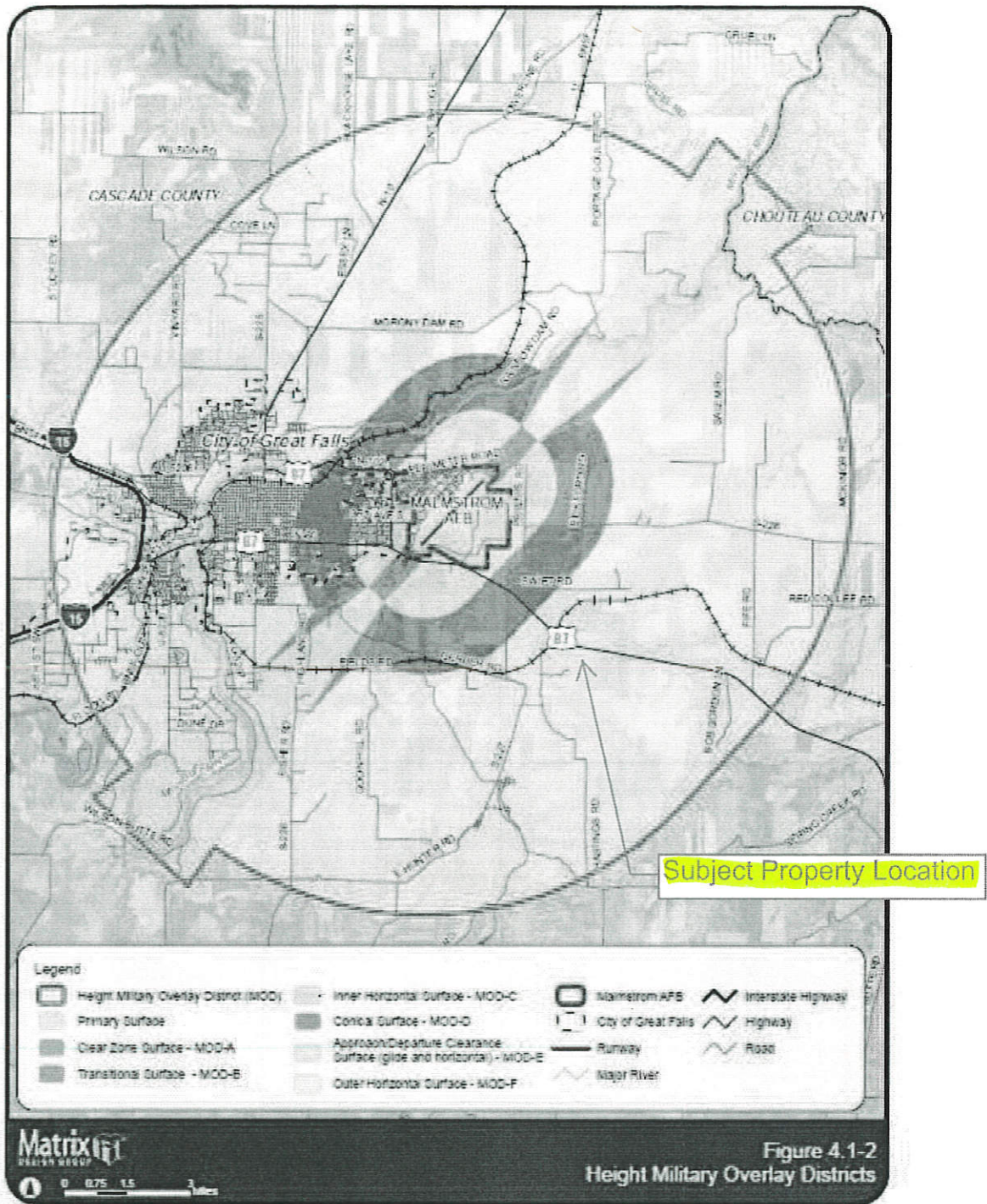
16.2 MISSILE ALERT FACILITIES (MAFS) AND LAUNCH FACILITIES (LFS)

No structures shall be allowed within the 1,200 foot buffer around each MAF and LF.

Any proposed structures over 50 feet in height between 1,200 feet and 2,400 feet of a MAF or LF will require the approval of a variance by the Zoning Board of Adjustment. A copy of the application will be sent to Malmstrom for review and comments. Any comments or recommended mitigations will be forwarded to the Zoning Board of Adjustment to consider with their decision. If no comments are received within 15 working days, it will be determined Malmstrom's reviewing staff had no objections. A height variance may only be denied due to a concern expressed by the US Military that cannot be mitigated to the Military's satisfaction.

16.3 EXCEPTIONS

A subdivision, rezoning and/or location/conformance permit application to accommodate a use inconsistent with the provisions of this section of these regulations shall not be approved unless the applicant places a covenant on the involved property wherein the property owner shall hold the City, County and Malmstrom Air Force Base harmless for any damages caused by normal and anticipated normal airport operations.



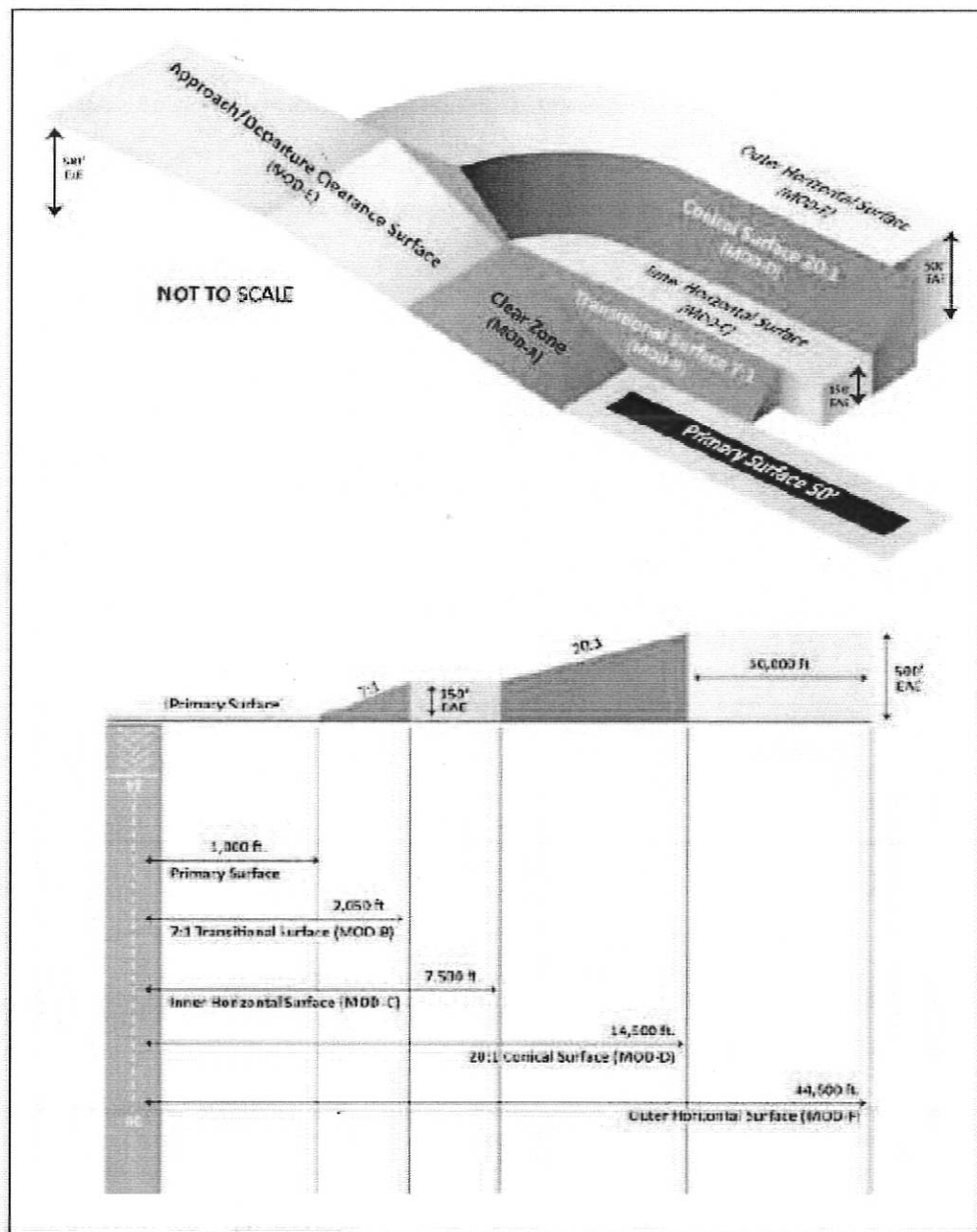


Figure 4.1-3. Proposed Height MODs